

## **U.S. Department of State Country Report on Human Rights Practices for 2000**

**DHAKA, FEBRUARY 27** -- The following is the text of the Bangladesh portion from the annual State Department Human Rights Report released by the Bureau of Democracy, Human Rights, and Labor in Washington, February 26, 2001:

### **BANGLADESH**

Bangladesh is a parliamentary democracy, with broad powers exercised by the Prime Minister. Prime Minister Sheikh Hasina is the leader of the Awami League, which came to power in 1996 in national elections deemed to be free and fair by international observers. There is an active political opposition. Violence is a pervasive feature of politics, including political campaigns, and elections frequently are marred by violence, intimidation of voters, and rigging. The major opposition political parties have abstained from Parliament since July 1999, diminishing Parliament's effectiveness. The opposition parties accuse the Awami League Government of abusing its parliamentary majority to prevent real debate on legislation and national issues. The higher levels of the judiciary display a significant degree of independence and often rule against the Government; however, lower judicial officers fall under the executive, and are reluctant to challenge government decisions.

The Home Affairs Ministry controls the police and paramilitary forces, which bear primary responsibility for maintaining internal security. The Government frequently uses the police for political purposes. There is widespread police corruption and lack of discipline. Police officers committed numerous serious human rights abuses.

Bangladesh is a very poor country. Annual per capita income among the population of about 130 million is approximately \$350. Slightly more than half of all children are chronically malnourished. Seventy percent of the work force is involved in agriculture, which accounts for one-fourth of the gross domestic product. The economy is market-based, but the Government still plays a significant role. The industrial sector is growing, albeit slowly, based largely on the manufacture of garments and textiles by privately owned companies. A small, wealthy elite controls much of the private economy, but there is an emerging middle class. Foreign

investment has increased significantly in the gas sector and in electrical power generation facilities. Foreign aid still is significant, but has diminished somewhat in relative importance vis-a-vis increased earnings from exports and remittances from workers overseas. Efforts to improve governance and economic growth through reform have been unsuccessful, and were blocked by bureaucratic intransigence, vested economic interests, endemic corruption, and political polarization. The Government's commitment to economic reform is weak. Periodic natural disasters, including a severe flood in 1998, also hamper development; nevertheless, the economic growth rate during the last fiscal year was about 5.5 percent.

The Government generally respected the human rights of its citizens in some areas; however, its record remained poor in many other significant areas, and it continued to commit serious abuses. Police committed a number of extrajudicial killings, and some persons died in police custody under suspicious circumstances. Police routinely used torture, beatings, and other forms of abuse while interrogating suspects. Police frequently beat demonstrators. The Government rarely convicts and punishes those persons responsible for torture or unlawful deaths. Prison conditions are extremely poor for the majority of the prison population. Rape of female detainees in prison or other official custody has been a problem; however, there were no reports of this during the year. The Government continued to arrest and detain persons arbitrarily, and to use the Special Powers Act (SPA) and Section 54 of the Code of Criminal Procedure, which allow for arbitrary arrest and preventive detention, to harass political opponents and other citizens by detaining them without formal charges. The Government encourages violence by urging retaliation against opposition members who attack government supporters. The Government filed numerous criminal cases against opposition leaders and activists; in at least some of these cases, the charges likely were false. The newly-enacted Public Safety Act (PSA) gives the police even greater opportunity to abuse their powers. Much of the judiciary is subject to executive influence and suffers from corruption. A large case backlog slowed the judicial process, and lengthy pretrial detention was a problem. Police searched homes without warrants, and the Government forcibly relocated slum dwellers. Virtually all journalists practiced some self-censorship. Attacks on journalists and efforts to intimidate them by government officials, political party activists, and others increased. The Government limited freedom of assembly, particularly for political opponents, and on occasion limited freedom of movement. The Government generally permitted a wide variety of human rights groups to conduct their activities, but it continued to refuse to register a local chapter of Amnesty International. Abuse of children and child prostitution are problems. Violence and discrimination against women remained serious problems. Discrimination against the disabled, indigenous people, and religious minorities was a problem. There was occasional violence against members of the Ahmadiya religious minority. The Government continued to limit worker rights, especially in the Export Processing Zones (EPZ's), and, in general, is ineffective in enforcing workers' rights. Some domestic servants, including many children, work in conditions that resemble servitude and many suffer abuse. Child labor and abuse of child workers remained widespread and serious problems. However, a 1995 agreement between the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), UNICEF, and the International Labor Organization (ILO) that has eliminated about 95 percent of child labor in the export garment sector, the main export industry, was extended in June. Trafficking in women and children for the purpose of forced prostitution and at times for forced labor remained serious problems. Both ruling and opposition political parties and their activists often employed violence, causing deaths and numerous injuries; however, the number of

deaths has declined, likely due to fewer general strikes during the year. Vigilante justice resulted in numerous killings, according to press reports.

## **RESPECT FOR HUMAN RIGHTS**

### **Section 1      Respect for the Integrity of the Person, Including Freedom From:**

#### **a.      Political and Other Extrajudicial Killings**

Police committed a number of extrajudicial killings.

Security forces sometimes used unwarranted lethal force. On February 9, police officers shot and killed Mohammad Ahmed Hossain Sumon, while trying to arrest him. Police officers also shot and wounded Sumon's brother and 12-year-old niece. Family members began to drive the victims to the hospital in a van, at which time the police again shot at them, breaking the van's windshield. No action was taken against the policemen involved in the killing. On May 3, police officers shot and killed two workers in the Savar EPZ, as police stormed a factory that disgruntled workers had taken over; another two persons later died from stab wounds sustained during the seizure (see Sections 1.c. and 6.b.). On September 18, police officers brandished weapons at persons attempting to rescue Mahbub Hasan Khan Oli, who was drowning in a Dhaka pond into which he had jumped to evade police capture. Oli drowned. In March 1999, police officers in Dhaka drowned college student Mujibur Rahman, and in July 1999, three policemen in Dhaka allegedly severely beat Mohammed Shahjada Tuku, then threw him into a canal where he drowned; as of year's end, none of the officers involved had been held accountable.

According to government figures, 134 persons died in prison and police custody during the year (see Section 1.c.). According to an independent human rights organization, 70 persons died in police, prison, court custody, and army camps during the year.

Most police abuses go unpunished, and the resulting climate of impunity remains a serious obstacle to ending police abuse and extrajudicial killings. However, in some instances where there was evidence of police culpability for extrajudicial killings, the authorities took action. In March 1999, four police officers were charged with manslaughter after a body was found in the rooftop water tank of the Detective Branch in Dhaka. The case is ongoing. The case against a police sergeant for killing a rickshaw puller in July 1999 in Agargaon remained pending at year's end.

Court proceedings continued against 14 persons, including 13 police officers, arrested and charged after a college student in police custody was beaten to death in July 1998. At year's end, nine of the accused persons were in custody, and proceedings in the case were continuing (see Section 1.c.).

In 1995 the Government charged former President Hossain Mohammad Ershad with ordering the 1981 murder of the alleged assassin of President Ziaur Rahman. Ershad, leader of the Jatiya party, was granted bail in 1997. In late 1998, immediately after Ershad took a stronger stance against the Government, the Prime Minister made remarks implying that the Government might accelerate the case. Subsequently Ershad entered into an alliance with other opposition parties to pressure the Government to step down by calling hartals and boycotting Parliament. On August 24, in a case concerning alleged misuse of power and corruption during Ershad's tenure as President, a High Court panel sentenced Ershad to 5 years in prison and a fine of \$1 million (about 55 million Taka) (see Section 1.e.). After Ershad's surrender to the court and subsequent incarceration on November 20, an appellate panel of the Supreme Court ruled that Ershad could be released from prison after payment of the fine, or after serving 6 months if the fine is unpaid. As of year's end, Ershad remained in jail. Ershad may be barred from politics for 5 years.

In 1998 a judge convicted and sentenced to death 15 persons for the 1975 murder of then-President Sheikh Mujibur Rahman (father of current Prime Minister Sheikh Hasina) and 21 of his family members (see Section 1.e.). On June 28, the High Court began hearing an appeal of the verdicts and a review of the sentences. On December 14, a 2-judge High Court panel confirmed 10 of the convictions and death sentences. On the remaining five convictions, the two judges released split opinions, and those cases were pending further High Court review at year's end (see Section 1.e.).

The Government continued to imprison eight persons accused of perpetrating the November 1975 murders of four senior Awami League leaders who then were in jail (see Sections 1.d. and 1.e.). On October 12, charges were filed against these individuals and 13 others who are not in custody. At year's end, the court was scheduled to begin hearing testimony in the case on January 24, 2001.

Vigilante violence against criminals by private citizens occurs. The Government reported that, by year's end, vigilantes killed 1 person, compared to 20 persons during the first 9 months of 1999. Authorities rarely arrest and punish those responsible for vigilante violence.

Press reports of vigilante killings by mobs are common. Tallying these reports, a newspaper estimated that mobs had beaten to death at least 14 persons in May and had killed at least 10 persons in June. Press editorials and commentaries opinioned that the increasing mob violence reflected a breakdown of law and order and a popular perception that the criminal justice system does not function. Human rights groups and press reports indicate that vigilante violence against women who are accused of having committed moral offenses is common, particularly in rural areas, and that religious leaders sometimes lead it (see Section 5).

Mob violence also occurs. On August 18, Alfred Soren, a leader of the Santal tribe in the northern part of the country was killed and dozens of others were injured, in a mob attack, reportedly carried out by Bengalis who were angry with the tribals over a land dispute (see Section 5).

Violence, often resulting in killings, is a pervasive element in the country's politics (see Sections 1.c. and 3). Supporters of different political parties, and often supporters of different factions

within one party, frequently clash with each other and with police during rallies and demonstrations. According to government figures, 15 persons were killed and 56 others were injured in politically motivated violence during the year. Awami League supporters, often with the connivance and support of the police, violently disrupted rallies and demonstrations of the opposition parties (see Sections 2.b. and 3). Opposition parties also used armed violence and intimidation to enforce general strikes. During the year, four persons died in violence related to general strikes (hartals); five others were killed when run over by recklessly-driven vehicles that were violating the hartal.

One person was killed in an explosion at opposition BNP headquarters just hours before the beginning of a hartal on February 2. The Government accused the opposition of manufacturing bombs; the opposition alleged that the explosion was a government plot designed to discredit the opposition. During the February 2 hartal, another person was killed by a bomb in Dhaka. During the February 16 hartal, a businessman was killed in the old section of Dhaka. On August 30, a BNP youth front leader was killed during a hartal by unidentified persons in the old section of Dhaka.

During an opposition-called hartal in 1999, eyewitnesses saw Maqbul Hossain, an Awami League Member of Parliament (M.P.) for the Dhanmondi area of Dhaka, order the killing of two young BNP activists who had been seized by Hossain's armed followers. Members of Hossain's entourage then shot at point-blank range one of the men, BNP activist Sajal Chowdhury, who subsequently died; the other person was beaten. About a dozen police officers who were standing nearby in riot gear made no effort to intervene or to apprehend the gunmen, nor did the Government later take action against those persons responsible. However, police summoned for repeated interrogations the family of Chowdhury, which had filed a murder complaint against M.P. Hossain and the armed men. One Chowdhury family member was arrested on criminal charges, then detained under the SPA after a judge granted him bail (see Section 1.d.). In December 1999, police submitted their final report on the case to the court, stating that the evidence did not support the murder charge. Subsequently, the court accepted the police report and dismissed the case against Hossain. Hossain then served legal notice on the victim's family, demanding that they explain why they should not be charged with criminal defamation.

Political killings continued during non-hartal periods as well. On July 16, Shamsur Rahman, a well-respected journalist who wrote articles on smuggling and terrorism in the southwestern region, was killed in Jessore. The Home Minister blamed the opposition for the killings; others blamed members of the ruling party who are connected with the smugglers. Numerous other journalists were killed or attacked by government or societal forces throughout the year (see Section 2.a.). On August 11, S.M.A. Rab, a prominent Awami League leader in Khulna, was killed. A Maoist group claimed responsibility. However, Rab's son blamed the killing on his father's rivals inside the ruling party who were upset by the Prime Minister's announcement that Rab would be the party's nominee for the Khulna mayoral post. On August 16, rival political party activists in the old section of Dhaka killed Awami League leader Kamal Hossain. On August 20, a pro-BNP attorney, Habibur Rahman Mandal, was shot and killed in the old section of Dhaka while on his way to court. The same morning a pro-Awami League attorney, Kalidas Boral, was shot and killed in Bagerhat (near Kulna), allegedly by rivals within his own party. A

mourning procession for the two slain attorneys was fired upon, resulting in injuries (see Section 1.c.).

On July 21, a large bomb was unearthed near the site of a public meeting at which the Prime Minister was to speak the following day. On July 23, a second bomb was discovered near a helicopter pad that she had used the previous day (see Section 1.c.).

In March 1999, two persons were killed while making bombs at ruling party M.P. Mohammed Mohibur Rahman Manik's residence in the Sylhet region. Newspaper speculations that the bombs were to have been used if local intraparty conflicts were contested. Police arrested Manik in May 1999 for involvement in bomb making. The court charged the M.P. on February 29; at year's end, Manik remained free on bail. On August 16, Manik was injured, along with approximately 50 others, in a gun battle between 2 factions of the Awami League in Sunamganj, Sylhet Division. On March 7, 1999, 2 bombs exploded in Jessore, killing 10 persons who were attending a performance of the left-affiliated cultural group Udichi Shilpa Gosthi. On July 19, 24 individuals were charged in connection with the bombing(s), including former minister and BNP leader Tariqul Islam. As of year's end, Islam and 2 others accused in the case were free on bail, 18 individuals were in jail, and 3 are not in custody. While awaiting trial, Islam and the two others on bail appealed to have the charges dismissed, saying that they were not involved in the case. The High Court stayed the order until February 14, 2001. On February 16, 1999, masked gunmen shot and killed Jatiya Samajtantrik Dal leader Kazi Aref Ahmed and four others as they were addressing a public rally in a village near Kushtia. On July 11, 29 individuals were charged in connection with the incident; 25 of them are in custody. As of year's end, the case was continuing.

Violence also is endemic between the student political wings of the major national parties, and between rival factions within the parties. In an escalation of political violence, on July 12, gunmen fired automatic guns at a van in Chittagong, killing eight persons, including six members of the ruling party's student wing, the Bangladesh Chhatra League (BCL). The Government accused the student wing of the opposition Jamaat-e-Islami Party of being responsible for the attack. The Prime Minister challenged her supporters and the police to retaliate for the murders of her student supporters, declaring that there should be 10 opposition bodies for each one from the ruling party. An anti-Jamaat campaign following the July 12 killings resulted in the deaths of at least 2 Jamaat activists, the injury of many others, and the arrests of hundreds more (see Section 1.d.). The opposition asserts that the attack on the van was a continuation of a shoot-out the previous day between rival factions of the BCL that left three BCL activists dead. Published photographs of an August 20 clash between two factions of the BCL at Kabi Nazrul College in the old section of Dhaka showed a BCL activist wielding a pistol in the presence of a policeman. The ruling Awami League temporarily suspended the operations of its youth front wing in Dhaka. On December 15, many major newspapers published a photo of a man pointing a gun during the riot that ensued after the court issued a split verdict in the murder case of Sheikh Mujibur Rahman and his family (see Section 1.e.). The man was identified as Hemayetuddin, a well-known BCL leader. No police action was taken against him. The main opposition BNP suspended activities of the central unit of its student wing, Jatiyatabadi Chhatra Dal, following the killing of two persons in a factional dispute at Dhaka University on July 2.

Extortion from businesses and individuals by persons with political backing was common, and businessmen on several occasions went on strikes to protest the extortion. On May 25, several young men shot and killed Iftekhar Ahmed Shipu, owner of a cellular telephone shop in Dhaka, after Shipu refused to give them a free telephone. A ruling party parliamentarian's son and several others were charged with the killing in a case filed by Shipu's relatives. According to press accounts and a subsequent investigation by a human rights organization, a gang led by Sumon, son of an influential local Awami League leader, abducted two young men on September 15 and demanded a ransom of about \$1,000 (50,000 Taka), which the parents did not pay. The dismembered bodies of the two victims were found in a drain the following day. The human rights organization report asserts that the police did not intervene to rescue the two young men, but rather shared drinks and cigarettes with the gang members as they were holding the two victims. Subsequently, the officer-in-charge of the local police station was transferred, and the police arrested several members of the gang.

**b. Disappearance**

During the night of September 18, Nurul Islam, the BNP Organizing Secretary for Laxmipur district, was abducted from his home. According to reports from neighbors and from BNP sources, the General Secretary of the local chapter of the Awami League was behind this abduction and suspected killing. Police subsequently searched the General Secretary's residence for evidence relating to the abduction. A case was filed against the General Secretary, 2 of his sons, and 12 others, but neither the General Secretary nor his sons were arrested.

**c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The Constitution prohibits torture and cruel, inhuman, or degrading punishment; however, police routinely employ physical and psychological torture and other abuse during arrests and interrogations. Torture may consist of threats, beatings and, occasionally, the use of electric shock. The Government rarely convicts or punishes those responsible for torture, and a climate of impunity allows such police abuses to continue. After several Dhaka policemen were arrested in 1998 for allegedly beating to death a college student in police custody (see Section 1.a.), the deputy commissioner of the Dhaka police detective branch publicly defended the use of physical coercion against suspects, saying that the practice was necessary in order to obtain information.

Nasir Uddin Pintu, a leader of the opposition student group Jatiyatabadi Chhatra Dal (JCD), alleged that he was tortured in police custody with beatings, sleep deprivation, and dousing with water. He also reported that he was denied proper food and water while in custody from December 1999 to January. One human rights organization reported that, after conducting a field investigation, it had confirmed that on June 13, police officers in Jhenidaha arrested a 12-year-old boy named Belal, hung him nude from a tree, tied a brick to his genitals, and beat him with sticks, allegedly for teasing a beggar. The human rights organization reported that the family was too intimidated to file a criminal report on this incident. Subsequently, one police

officer from the nearby Betai Police Camp was suspended temporarily; other policemen from the Camp were transferred.

Rape of female detainees in police or other official custody has been a problem, as the Chief Justice of the Bangladesh Supreme Court acknowledged in a March speech when he observed that rapes and killings in police custody frequently occurred (see Section 1.a.). Some well-publicized reports of rape in police custody in prior years resulted in a widespread public outcry. While there were no reports of such rapes during the year, it is unclear whether the situation has improved after public condemnation, or whether rapes continue and simply are not being reported.

According to human rights groups and media reports, police engaged in violence and looting during the July 1999 raid of the Tanbazar and Nimtali brothel districts, allegedly attacking residents as well as over 40 female human rights activists who were protesting the eviction (see Section 1.f.). The evicted sex workers were detained in vagrant centers, where guards and fellow inmates subjected them to sexual assault and harassment. According to two human rights organizations, fewer than a dozen prostitutes remained in the vagrant homes at year's end.

Police sometimes rape women who are not in custody. The Government reported that in May a police constable raped a woman who was not in police custody. After an investigation, the constable was charged with rape and placed under suspension. The case was pending at year's end. During the first 9 months of the year, one human rights organization documented nine cases of police raping women who were not in custody. In addition after women report that they are raped (or are involved in family disputes), they frequently are detained in "safe custody," where they endure poor conditions, and sometimes are abused or, as has been reported in prior years, are raped (see Sections 1.d. and 5). Citing statistics from prison officials, one human rights organization asserted that as of September, 307 females (including adults and minors) and 114 male children were in "safe custody." Government figures showed that 353 persons, including 139 women, were in safe custody at year's end.

The police often employ excessive, sometimes lethal, force in dealing with opposition demonstrators (see Sections 1.a., 2.b., and 3). Before a scheduled rally of former Awami League M.P. Kader Siddiqui in May, police stopped Siddiqui in front of his house, fired gunshots into the sky to scare his followers, and beat him so severely that he required hospitalization. Four of his party activists were detained under the PSA. On August 6, police broke up a rally of the four-party opposition alliance using tear gas, rubber bullets and batons. At least 25 persons were injured seriously. On October 5, security personnel blocked a road in the southwestern part of the country to prevent opposition leader Begum Khaleda Zia from visiting flood-affected areas and addressing a scheduled rally. Awami League student activists, assisted by the police, dismantled the dais that had been erected for Zia's rally. Government leaders said Zia's scheduled rally was at the same venue as a rally the Prime Minister was slated to address. A formal clarification from the Government stated that this "unfortunate situation" would not have occurred had the opposition scheduled its program before or after the Prime Minister's. The opposition protested that its rally had been announced before the Prime Minister's program, and that it had assured the authorities that its program would be finished well ahead of the Prime Minister's arrival. In November approximately 100 persons were injured in Chittagong after



police tried to break up a 500-person march of Jamaat-e-Islami party members. Police fired tear gas and blank shots to disperse the marchers, who retaliated with homemade bombs and bricks. Police arrested more than 100 protestors; 40 still were in custody at year's end. In a separate incident, no action was taken against police in the 1999 beating of Shafiul Alam Proddhan, president of the Jatiya Gonotantrik Party.

On May 3, police officers injured numerous persons in the Savar EPZ, as police stormed a garment factory that disgruntled workers had taken over. Four persons died and more than 20 persons were injured in the incident (see Sections 1.a. and 6.b.).

According to a May Human Rights Watch (HRW) report, Rohingya refugees living in camps continue to suffer abuses, including beatings and other forms of physical abuse, and in the past have been coerced by camp administrators trying to secure their return to Burma (see Section 2.d.).

The Government sometimes punishes family members for the alleged violations of others (see Section 1.f.).

Police corruption remains a problem and there were credible reports that police facilitated or were involved in trafficking in women and children (see Section 6.f.).

Both opposition and ruling parties routinely use actual or threatened violence to achieve political ends. Violence is a common feature during rallies, demonstrations, and general strikes. In an incident witnessed by a member of the foreign diplomatic community, on February 13, a joint procession of the four-party opposition alliance came under attack in Dhaka from unknown assailants. In retaliation some individuals from the procession damaged dozens of vehicles parked on the street. On August 7, members of an Awami League student wing procession fired upon a BNP torch procession in Narayanganj. The BNP demonstrators threw their torches at the Awami League student activists and stoned the police. As the police chased the BNP demonstrators, the Awami League activists ransacked the local BNP office. On August 16, 2 ruling party factions fought a gun battle in Sylhet Division, injuring some 50 persons. Also in August, a mourning procession for two slain attorneys was fired upon by unidentified assailants, injuring four persons, including two policemen (see Section 1.a.).

In the past, some opposition political activities, especially hartals, allegedly were staged with the intent of provoking violent clashes, in order to embarrass the Government and galvanize public opinion. However, the overall incidence and severity of hartals decreased significantly during the year.

On December 22, after the BNP announced a new central committee for its youth wing, the Jatiyabadi Chhatra Dal, JCD activists opposed to the new leaders attacked the houses of two BNP leaders, damaged vehicles, and ransacked properties to protest the new committee, alleging that the new leaders were well-known terrorists, not students (see Section 1.a.).

Members of the Ahmadiya religious minority were attacked at several places in the country (see Section 5).

In rural areas, human rights groups and press reports indicate that vigilantism against women for perceived moral transgressions occurs, and may include humiliating, painful punishments such as whipping (see Sections 1.a. and 5). Rejected suitors, angry husbands, or those seeking revenge sometimes throw acid in a woman's face (see Section 5).

On July 21, in Kotalipara village, Gopalganj district, a large bomb was found near the rostrum where Prime Minister Sheikh Hasina was supposed to make an appearance the following day. On July 23, a second bomb of similar size was found buried near the helipad prepared for the Prime Minister's use at the same site. No one was hurt. The Government accused the opposition of plotting to kill the Prime Minister, and several dozen persons, including members of Jamaat-e-Islami and other pro-Islamic groups, were arrested or picked up for interrogation. On September 13, 20 persons were accused of being involved in the assassination attempt. Of those, 11 later were charged. At year's end, four were in custody; several others remained unapprehended (see Section 1.a.).

Prison conditions are extremely poor for most prisoners. The Supreme Court Chief Justice told a seminar on August 10 that prisoners live a "subhuman" life. Official figures indicated that 134 persons died in prison and police custody during the year (see Section 1.a.). According to credible sources, poor conditions were at least a contributing factor in many of these deaths. Most prisons are overcrowded and lack adequate facilities. According to government figures, the current prison population of 63,489 roughly is 265 percent of the official prison capacity. Of those, 16,393 were convicted and 47,096 were awaiting trial or under trial. In some cases, cells are so crowded that prisoners sleep in shifts. The Dhaka Central Jail reportedly houses over 8,000 prisoners in a facility designed for fewer than 3,000 persons. A 1998 judicial report noted the poor physical condition of jails and unhygienic food preparation. Drugs are abused widely inside the prisons. The treatment of prisoners in the jails is not equal. There are three classes of cells: A, B, and C. Common criminals and low-level political workers generally are held in C cells, which often have dirt floors, no furnishings, and poor quality food. The use of restraining devices on prisoners in these cells is common. Conditions in A and B cells are markedly better; A cells are reserved for prominent prisoners. The Government has begun construction of additions to jail facilities in an effort to alleviate overcrowding.

In general the Government does not permit prison visits by independent human rights monitors (see Section 4). Government-appointed committees of prominent private citizens in each prison locality monitor prisons monthly, but do not release their findings. District judges occasionally also visit prisons, but rarely disclose their findings.

#### **d. Arbitrary Arrest, Detention, or Exile**

The Government continued to arrest and to detain persons arbitrarily, as well as to use national security legislation (the SPA or PSA) to detain citizens without formal charges or specific complaints being filed against them. The Constitution states that each person arrested shall be informed of the grounds for detention, provided access to a lawyer of his choice, brought before a magistrate within 24 hours, and freed unless the magistrate authorizes continued detention.

However, the Constitution specifically allows preventive detention, with specified safeguards, outside these requirements. In practice authorities frequently violate these constitutional provisions, even in non-preventive detention cases. In an April 1999 ruling, a two-judge High Court panel criticized the police force for rampant abuse of detention laws and powers.

Under Section 54 of the Code of Criminal Procedure, individuals may be detained for suspicion of criminal activity without an order from a magistrate or a warrant. Some persons initially detained under Section 54 subsequently are charged with a crime, while others are released without any charge. According to the Government, 10,582 persons were arrested under Section 54 during the year. Of those, 3,915 subsequently were charged with criminal offenses. In 1998 the Home Minister acknowledged that police abuse Section 54. The Government sometimes uses Section 54 to harass and to intimidate members of the political opposition and their families. In a Government crackdown on the Jamaat-e-Islami after the July 12 killings of Awami League student supporters in Chittagong (see Section 1.a), the police arrested 38 Jamaat students at Rajshahi University on July 15 under Section 54. After an August 6 clash between student activists of the ruling Awami League and the Jamaat-e-Islami at the Islamic University in Kushtia, the police detained 30 Jamaat-e-Islami supporters under Section 54. In addition police commonly detain opposition activists prior to and during general strikes without citing any legal authority, holding them until the event is over. Newspapers sometimes report instances of police detaining persons to extract money or for personal vengeance.

Under the SPA the Government or a district magistrate may order anyone detained for 30 days to prevent the commission of an act likely "to prejudice the security of the country." Other offenses subject to the SPA include smuggling, black market activity, or hoarding. The Government (or magistrate) must inform the detainee of the grounds for detention within 15 days, and the Government must approve the grounds for detention within 30 days or release the detainee. In practice detainees sometimes are held for longer periods without the Government stating the grounds for the detention or formally approving it. Detainees may appeal their detention, and the Government may grant early release.

An advisory board composed of two persons who have been, or are qualified to be, high court judges and one civil servant are supposed to examine the cases of SPA detainees after 4 months. If the Government adequately defends its detention order, the detainee remains imprisoned; if not, the detainee is released. Appellate courts sometimes order authorities to release SPA detainees after finding that the Government is unable to justify the detention. If the defendant in an SPA case is able to present his case before the High Court in Dhaka, the High Court generally rules in favor of the defendant. However, many defendants are either too poor or, because of strict detention, are unable to obtain legal counsel and thereby move the case beyond the magistrate level. Magistrates are subject to the administrative controls of the Establishment Ministry and are less likely to dismiss a case (see Section 1.e.). Detainees are allowed to consult with lawyers, although usually not until a charge is filed. They are not entitled to be represented by a lawyer before an advisory board. Detainees may receive visitors. While in the past the Government has held incommunicado some prominent prisoners, there were no known cases of incommunicado detention during the year.

According to a study carried out by a parliamentary subcommittee and released on September 7, successive governments have detained 69,010 persons since the SPA was enacted in 1974, and

have released 68,195 persons, following orders from the High Court. The study asserted that the SPA cases generally are so weak and vague that the court had no alternative but to grant bail.

The Government cites a significant reduction in the number of persons held under the SPA as evidence that it is minimizing its use of the act; some observers assert that use of the recently-enacted Public Safety Act (PSA) explains the reduction of persons held under the SPA. According to the Government, 801 persons were under SPA detention at year's end: 416 for terrorism, 301 for smuggling, and 84 for anti-social activities. This was 180 fewer than the 981 persons under detention as of January 1, and a substantial decrease from the approximately 2,000 persons under SPA detention in mid-1997. According to the Government, authorities detained 1,331 persons under the SPA and released 1,511 SPA detainees during the year.

In response to a deteriorating law and order situation, Parliament passed the restrictive new PSA in January; the law became effective in February. The law established special tribunals to hear cases under the act, and made such offenses non-bailable. Opposition leaders expressed fears that the law would be used to arrest political opponents of the ruling party, as the law, like the SPA, allows police to circumvent normal procedures designed to prevent arbitrary arrest, and precludes detainees from being released on bail, which often is the result of arrests based on little or no concrete evidence (see Section 2.b.). According to the Government, 1,350 persons were arrested under the PSA during the year: 445 for interfering with tenders and 905 for damaging vehicles or obstructing traffic. Of those, 450 persons were released, 140 within 1 month, 301 within 3 months, and 9 within 6 months of detention. According to a human rights organization, 3,763 persons were accused under the PSA from February through August 10. Of these persons, 1,285 eventually were arrested. Another human rights organization reports that from June 1 to September 15, 1,166 persons were accused under the PSA, of whom 90 belonged to the BNP, 29 to the Awami League, and 32 to the Jamaat-e-Islami.

Opposition leaders claim that the Government used the new PSA to intimidate them. There are credible reports from human rights monitors and political activists that the Awami League Government uses both the SPA and the new PSA as tools to harass and intimidate political opponents and others. In November police searched the residence of Bahauddin, editor of an opposition newspaper, to arrest him on charges of sedition for publishing a parody of the national anthem that mocked the Prime Minister (see Section 2.a.). When police could not find Bahauddin, they arrested his brother, Mainuddin, instead, under the Special Powers Act (see Section 1.f.). Mainuddin spent 16 days in jail and then was released under court order.

On December 26, BNP Member of Parliament Morshed Khan went to a shop to inquire about the identity of some youths who had attacked his son over a minor traffic incident. According to Khan, a mob of several dozen youths with weapons and sticks gathered around the shop to attack him. He quickly left. After the incident, a PSA case was filed against Khan and his son for allegedly stealing cash from the shop. In contrast no PSA case was filed against any member of the Awami League student front, the BCL, when they incited a riot on December 14 after announcement of the split verdict in the Sheikh Mujibur Rahman murder case (see Sections 1.a. and 1.e.). BCL activists had taken to the streets, smashing and burning hundreds of vehicles, and one auto-rickshaw driver was shot and killed. No PSA charges were filed against BCL leader

Humayetuddin, whose photo appeared in numerous newspapers, wielding a gun during the incident (see Sections 1.a. and 2.a.), nor against others identified as participants in this violence.

There is a system of bail for criminal offenses. Bail is granted commonly for both violent and nonviolent crimes. However, some provisions of the law preclude the granting of bail. The Women and Children Repression Prevention Act provides special procedures for persons accused of violence against women and children. Persons arrested under this act cannot be granted bail during an initial investigation period of up to 90 days. Some human rights groups express concern that a large number of allegations made under the act are false, since the non-bailable period of detention is an effective tool for exacting personal vengeance. According to government figures, 7,565 persons were detained under this act during the year. At year's end, there were 2,139 persons detained under this law. A total of 201 persons were convicted under this law during the year. In January Parliament passed The Women and Children Repression Prevention Act, which amended and superseded the old law of the same name. The new law calls for harsher penalties, provides for compensation to victims, and requires action against investigating officers for negligence or willful failure in duty (see Section 5). In a radio interview on July 26, the Prime Minister called the courts "safe havens" for criminals, and criticized the courts for being too liberal in granting bail, even to known criminals. The Prime Minister's remarks led to protests from lawyers and the filing of three contempt of court petitions against her. If bail is not granted, the law does not specify a time limit on pretrial detention.

Prisons often are used to provide "safe custody" for women who are victims of rapes or domestic violence (see Sections 1.c. and 5). One study conducted by the Bangladesh National Woman Lawyers Association (BNWLA) found that nearly half of the women in Dhaka's Central Jail were crime victims being held in safe custody, not criminals (see Sections 1.c. and 5). While women initially may consent to this arrangement, it often is difficult for them later to obtain their release, or to gain access to family or lawyers. While there have been reports in prior years of police raping women in safe custody, there were no reports that this occurred during the year (see Section 1.c.).

A major problem with the court system is the overwhelming backlog of cases, which produces long pretrial delays. The Chief Justice of the Supreme Court on May 19 told a gathering organized by the Law Ministry that about 1 million cases were pending in criminal, civil, and appellate courts. More than 47,000 persons, or about 75 percent of the country's prison population, were awaiting trial or under trial. According to research by one human rights organization, most prison inmates never have been convicted and are awaiting trial. The Government explains that many convicted persons who are appealing their cases sometimes mistakenly are counted as "pretrial detainees." Government sources report that the period between detention and trial averages 6 months, but press and human rights groups report instances of pretrial detention lasting several years. One human rights organization asserted that the average time in detention before either conviction or acquittal is in the range of 4 to 7 years. Reportedly some prisoners awaiting trial have been in prison longer than the maximum sentence they would receive if convicted. In one case reported by a human rights group, a suspended bank officer in Chittagong was arrested in 1985 on corruption charges. Bail was granted in 41 of the 45 cases filed against him. The bail petitions in the remaining four cases have yet to be heard, and trials on the merits of any of the charges have not begun. If convicted of the charges

against him, his maximum sentence would be no more than 10 years, yet he already has served 15 years in pretrial detention. In another case, the BNP government in 1993 arrested a 10-year-old boy in connection with an Awami League demonstration. He remained in jail without a hearing until this year, when a prominent Dhaka attorney took up his case and won his release on bail. Trials often are characterized by lengthy adjournments, which considerably prolong the incarceration of accused persons who do not receive bail.

Citizens who are not political opponents sometimes also are detained arbitrarily. Newspapers and human rights activists report numerous cases in which a person is arrested in order to force family members to pay for his or her release. In a 1999 judgment criticizing the police for abuse of detention powers, the High Court commented that the police had become a law breaking agency. Most persons detained under the SPA ultimately are released without charges being brought to trial (see Sections 1.f. and 2.a.).

The Government sometimes uses serial detentions to prevent the release of political activists. A former Jamaat-e-Islami M.P. was released on bail on October 3 and immediately redetained under the SPA. National Socialist Party member Mahmud Hasan Shachchu, an elected leader of a local government unit in Kushtia, was jailed in June 1999. After the High Court declared his detention illegal in April, the local magistrate detained Shachchu again under the SPA.

Numerous court cases have been filed against opposition M.P.'s and activists, on charges ranging from corruption to murder. In June 1999, the Prime Minister told Parliament that more than 70 current BNP M.P.'s were under investigation for alleged corruption during the previous administration. Most of these corruption cases still were under investigation and a few had been completed by year's end. Obaidur Rahman, a BNP M.P., remained in prison. Rahman and two other political figures were arrested in October 1998 for alleged complicity in the 1975 "jail killings" of four senior Awami League leaders. The Government continued to hold eight persons accused of perpetrating these murders. On October 12, the court filed charges against these persons. The deposition of witnesses in the jail killing case was scheduled to begin on January 24, 2001.

Some opposition activists were detained or charged in questionable cases. On July 21, a Jamaat-e-Islami leader in Chittagong was arrested and accused in five cases; he subsequently was detained under the SPA. On September 11, the High Court found his detention invalid and ordered his release.

In a case that appears to be politically-motivated, a senior leader of the opposition Islami Oikkyo Jote was detained from September 5 to November 7 under the SPA on the basis of his alleged involvement in undefined "anti-State activities."

It is difficult to estimate the total number of detentions for political reasons. In some instances criminal charges may apply to the actions of activists, and many criminals claim political affiliations. Because of crowded court dockets and magistrates who are reluctant to challenge the Government, the judicial system does not deal effectively with criminal cases that may be political in origin. There is no independent body with the authority and ability to monitor detentions, or to prevent, detect, or publicize cases of political harassment. Most such detentions appear to be for short periods, such as several days or weeks. Defendants in most cases receive bail, but dismissal of wrongful charges or acquittal may take years.

The Government does not use forced exile.

**e. Denial of Fair Public Trial**

The Constitution provides for an independent judiciary; however, under a longstanding "temporary" provision of the Constitution, some subordinate courts remain part of the executive and are subject to its influence. The higher levels of the judiciary display a significant degree of independence and often rule against the Government in criminal, civil, and even politically controversial cases; however, lower level courts are more susceptible to pressure from the executive branch. There also is corruption within the legal process, especially at lower levels.

In a case concerning alleged misuse of power and corruption during President Hossain Mohammad Ershad's tenure as President, a High Court panel on August 24 sentenced Ershad to 5 years in prison and a fine equivalent to about \$1 million (approximately 55 million Taka). Ershad, who leads the Jatiya party, was sent to prison after he surrendered to the court on November 20. Meanwhile the appellate panel of the Supreme Court reduced his sentence to either payment of the fine or 6 months in jail. However, Ershad may be banned from Parliament for 5 years. In another case in 1995, the Government charged Ershad with ordering the 1981 murder of the alleged assassin of President Ziaur Rahman (see Section 1.a.).

There continued to be tension between the executive and the judiciary during the year. In 1999 the Government charged that the High Court granted bail to criminals indiscriminately, crippling efforts to combat crime. In January Parliament hastily passed the Public Safety Act, citing the ready availability of bail for criminal offenses as one of its motivations (see Sections 1.d. and 2.b.). In October the court dismissed a case of contempt of court against Prime Minister Sheikh Hasina for her criticism of the court, but cautioned her against making statements not based on fact.

On December 14, the High Court issued a split verdict in the murder case of Sheikh Mujibur Rahman, founder of the country and father of the Prime Minister, along with 21 members of his family. The senior judge in the case upheld the convictions and death sentences of 10 of the 15 previously convicted persons, while the junior judge upheld the convictions and death sentences of all 15 of the convicted. The Prime Minister expressed her disappointment that both judges did not uphold the death sentences for all 15, and ruling party Chhatra League activists rioted in the streets, smashing and burning hundreds of cars in protest of the split verdict (see Sections 1.a. and 1.d.).

The court system has two levels: The lower courts and the Supreme Court. Both hear civil and criminal cases. The lower courts consist of magistrates, who are part of the administrative branch of government, and session and district judges, who belong to the judicial branch. The Supreme Court is divided into two sections, the High Court and the Appellate Court. The High Court hears original cases and reviews cases from the lower courts. The Appellate Court has jurisdiction to hear appeals of judgments, decrees, orders, or sentences of the High Court. Rulings of the Appellate Court are binding on all other courts.

Trials are public. The law provides the accused with the right to be represented by counsel, to review accusatory material, to call witnesses, and to appeal verdicts. State-funded defense attorneys rarely are provided, and there are few legal aid programs to offer financial assistance. In rural areas, individuals often do not receive legal representation. In urban areas, legal counsel generally is available if individuals can afford the expense. However, sometimes detainees and suspects on police remand are denied access to legal counsel. Trials conducted under the SPA, the PSA, and the Women and Children Repression Prevention Act, are similar to normal trials, but are tried without the lengthy adjournments typical in other cases. Under the provisions of the PSA and the Women and Children Repression Prevention Act, special tribunals hear cases and issue verdicts. Cases under these laws must be investigated and tried within specific time limits, although the law is unclear as to the disposition of the case if it is not finished before the time limit elapses.

Persons may be tried in absentia, although this rarely is done. In November 1998, 15 of the 19 defendants tried for the 1975 killing of then-President Sheikh Mujibur Rahman and 21 of his family members were convicted and sentenced to death, and 4 persons were acquitted. Fourteen of the defendants were tried in absentia, and 12 of them were convicted. In April when the High Court began its automatic review of the death sentences, the first two judges assigned to the case recused themselves, declaring that they were unable to hear the cases impartially, prompting heavy criticism from the Government. After the second recusal, government supporters marched to the High Court Building wielding sticks and clubs, and called for the execution of the sentences issued at the trial. Some members of the Cabinet, including the Home Minister, participated in a rally that threatened action against the judges for their failure to take on the case. The Prime Minister expressed sympathy with those persons protesting against the judiciary. Many observers believe that the High Court judges recused themselves because government interest in and pressure regarding the case were not conducive to a neutral judicial review of the trial; however, the judges have not explained their decisions, and there is no direct evidence to substantiate such allegations. The High Court is to rule simultaneously on appeals filed by four defendants present in the country. There is no automatic right to a retrial if a person convicted in absentia later returns. Absent defendants may be represented by state-appointed counsel (as was done in the Sheikh Mujib case), but may not choose their own attorneys, and, if convicted, may not file appeals until they return to the country.

A major problem of the court system is the overwhelming backlog of cases, and trials under way typically are marked by extended continuances while many accused persons remain in prison (see Section 1.d.). These conditions, and the corruption encountered in the judicial process, effectively prevent many persons from obtaining a fair trial or justice. According to one independent sample survey conducted by Transparency International Bangladesh, over 60 percent of the persons involved in court cases paid bribes to court officials. Because of the difficulty in accessing the courts and because litigation is time consuming, alternative dispute resolution by traditional village leaders, which is regarded by some persons to be more transparent and swift, is popular in rural communities. However, these mechanisms also can be subject to abuse.

The Government states that it holds no political prisoners, but the BNP and human rights monitors claim that many opposition activists have been arrested and convicted under criminal



charges as a pretext for their political activities. It is not clear how many such prisoners actually are being held (see Section 1.d.).

**f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law requires authorities to obtain a judicial warrant before entering a home; however, according to human rights monitors, police rarely obtain warrants, and officers violating the procedure are not punished. In addition the SPA permits searches without a warrant.

The Government sometimes forcibly resettles persons against their will. In 1999 police forcibly removed 267 sex workers from a large brothel district in Tanbazar and Nimtoli, Narayanganj. Authorities claimed that the women wished to be rehabilitated, but credible eyewitnesses said that the women refused the offer. The 267 women were confined in a center for vagrants, where some alleged that they were abused. By December fewer than a dozen remained in the vagrant homes (see Section 1.c.).

In 1999 police and paramilitary troops forced more than 50,000 persons from their homes in 6 Dhaka slum areas. The Government continued its slum clearances during the year. On April 15, the Government demolished 700 homes in the Segunbagicha slum area. On April 30, police officials demolished the Paribagh slums, leaving 1,100 persons without shelter. After police announced the destruction of the railway slum in Kawran Bazar, residents protested the 1-day notice. Police used rubber bullets and batons to subdue the protesters, injuring 30 persons. Police and hired laborers set fire to 20 huts, but were unable to dislodge the slum dwellers (see Section 1.c.).

The Government sometimes punishes family members for the alleged crimes of others (see Section 1.c.). According to one human rights organization and a published account by one of the victims, on the evening of June 17, police raided a house in the Khilgaon section of Dhaka, and after failing to locate their intended target, arrested his parents and beat his sisters. In November when police could not find Bahauddin, editor of an opposition paper, to arrest him under charges of sedition, they arrested his brother, Mainuddin, instead. Mainuddin was not connected with the sedition charge; however, police arrested him under the SPA (see Sections 1.d. and 2.a.).

The Special Branch division of the police, National Security Intelligence, and the Directorate General of Forces Intelligence (DGFI) employ informers to report on citizens perceived to be political opponents of the Government and to conduct surveillance of them. Political leaders, human rights activists, foreign NGO's, and journalists report occasional harassment by these security organizations. For example, representatives from one human rights organization report that police harassed their representatives in Comilla and Chittagong.

**Section 2      Respect for Civil Liberties, Including:**

**a. Freedom of Speech and Press**

The Constitution provides for freedom of speech, expression, and the press, subject to "reasonable restrictions" in the interest of security, friendly relations with foreign states, public order, decency and morality, or to prohibit defamation or incitement to an offense; however, there were numerous examples of the Government limiting these rights in practice. Some government leaders encouraged violence against journalists by ruling party members.

The press, numbering hundreds of daily and weekly publications, is a forum for a wide range of views. While most publications support the overall policies of the Government, several newspapers report critically on government policies and activities, including those of the Prime Minister. In addition to an official government-owned wire service, there is one privately-owned wire service affiliated with a major international company.

Newspaper ownership and content are not subject to direct government restriction. However, if the Government chooses, it can influence journalists through financial means.

Government-sponsored advertising and allocations of newsprint imported at a favorable tariff rate are central to many newspapers' financial viability. Government-sponsored advertising is the largest source of revenue for many newspapers. In allocating advertising through the Department of Films and Publications, the Government states that it considers circulation of the newspapers, wage board implementation, objectivity in reporting, coverage of development activities, and "attitude towards the spirit of Bangladesh's War of Liberation." Commercial organizations often are reluctant to advertise in newspapers critical of the Government due to fear of unspecified governmental or bureaucratic retaliation.

Attacks on journalists and newspapers, and efforts to intimidate them by government leaders, political party activists, and others frequently occurred. Such attacks by political activists are common during times of political street violence, and some journalists also were injured in police actions (see Section 1.c.).

On January 4, two unidentified persons threw a bomb at the building that houses the Bangla-language daily Dainik Azadi, causing no major damage; however, a few minutes later, another bomb blast damaged the managing editor's car. On January 5, the leader of the local Jatiyabadi Chhatra Dal (the student wing of the BNP in Munshiganj), attacked Zakir Hossain Sumon-Srinagar, a correspondent for the "Ajker Kagoj," reportedly because he published a news item criticizing the student group. When Sumon was attacked, a senior journalist, Shafi Uddin Ahmed, tried to rescue him and also was attacked by the student group. No one was held accountable in either incident.

On January 15, three unidentified persons shot and killed journalist Mir Illais Hossain in Jhenaidah. The journalist, also the leader of a leftist party, allegedly had received death threats a few weeks before the killing and had requested police protection. Four persons were arrested for their suspected involvement in the murder. By year's end, charges had not been filed. On February 27, a court in Narayanganj issued an arrest warrant for the editor and other officers of the opposition daily Dinkal on the basis of a complaint lodged by a ruling party M.P., who

accused the newspaper of publishing false, malicious and inaccurate reports about him. On March 8, police officers raided the newspaper's office, threatening journalists and damaging furniture. The police withdrew after about 1 hour. On May 20, activists from the ruling party student front, the BCL, assaulted two Dhaka University correspondents and threatened to kill one of them.

On July 16, two men entered the Jessore office of the Bangla-language daily Janakantha and shot and killed reporter Shamsur Rahman (see Section 1.a.). Rahman had been reporting on the activities of criminal gangs in the southwest part of the country, and the relationship of those gangs to the national political parties. By September 15, 12 persons had been arrested in connection with the murder. By year's end, charges had not been filed.

According to the Committee to Protect Journalists, on October 20, a group of Jubo League activists, the youth wing of the ruling party, threatened Sohrab Hossain, a reporter with the regional "Loksamaj," after he wrote an article about problems with the Government's relief efforts in the flood-ravaged district of Satkhira. On October 25, State Minister for Social Welfare Mozammel Hossain (the person in charge of overseeing relief operations in Satkhira district) reportedly actively encouraged ruling party members to attack physically the press by saying "Wherever you will find journalists, break their bones." On October 26, a group led by local Awami League leader Nurul Islam ransacked the office of the local daily "Satkhirar Chitro" and assaulted Anisur Rahim, the newspaper's editor, with knives and a revolver, hospitalizing him. The attack followed the newspaper's report on the alleged misappropriation of disaster relief funds (see Section 1.c.). One person was arrested for his involvement in the attack on the editor following the state minister's remarks, but by year's end, no charges had been filed.

According to the International Freedom of Expression Exchange, on October 27, Monwar Islam, senior journalist and secretary-general of the Dhaka Reporters Unity (an organization for reporters working in Dhaka) narrowly escaped an abduction attempt, allegedly because of his reporting. By year's end, no investigation had been conducted, and Islam had fled the country.

Virtually all print journalists practice self-censorship to some degree, and are reluctant to criticize politically influential personalities in both the Government and the opposition; however, some journalists do make such criticism. Many journalists cite fear of possible harassment, retaliation, or physical harm as a reason to avoid sensitive stories. For example, in March the Laxmipur correspondent of a leading Bangla-language newspaper was arrested under the PSA, following a report he published on police involvement in mass cheating during high school examinations. The journalist was released in November as the Government failed to prove the charge against him in the PSA Tribunal. On May 28, Aminur Rahman Taj, a reporter from "Ajker Kagoj," a leading Bangla-language newspaper, was arrested without a warrant and later was accused of defamation of character. Earlier his paper had published an article asserting that the wives of a prominent minister and a senior police official were involved in corrupt practices. After the reporter's arrest, fellow journalists strongly protested, and the police threatened to file PSA cases against the journalists. The protesting journalists went to the High Court for protection, and no PSA charges were filed against them.

In June a leading English-language newspaper ran a story about three sons of M.P.'s who were allowed to leave the country after being implicated in criminal cases. When the story was quoted

in foreign newspapers, an official from the Prime Minister's Office pressured the newspaper's management to fire the author of the story. The author resigned under pressure a few days later. On August 6, a daily newspaper in Chittagong issued a notice retracting a story it had run the previous day, implying that a ruling party faction was involved in the July 12 murders of eight persons in a van (see Section 1.a.). The reporter who authored the original story was fired. According to press reports, the General Secretary of a local Awami League chapter declared at a public rally in Laxmipur on October 4, that he would "chop off the hands and legs" of journalists who continue to write about him (see Section 2.a.). He threatened to "throw opposition activists into the river" if they came out against him, and to take action against the police if they tried to arrest him. An Awami League Presidium member and government minister was "chief guest" at this Laxmipur rally. Two days later, armed men in Laxmipur injured a newspaper reporter in an attack.

Journalists and others potentially are subject to incarceration as a result of criminal libel proceedings filed by private parties. Ruling party M.P.'s filed separate criminal libel suits against several newspapers after articles were published that the politicians viewed as false and defamatory. The journalists in all cases received anticipatory bail from the courts, and none of the cases moved to trial. Sedition charges filed against a Bangla-language newspaper in February 1998 remained pending, and those persons accused remained on bail. In November a new sedition charge was filed against the same editor, Bahauddin, for publishing a parody of the national anthem mocking the Prime Minister. When the police arrived at Bahauddin's residence to arrest him, he was not there, so they arrested his brother Mainuddin instead (see Sections 1.d. and 1.f.). Mainuddin was arrested under the PSA, and therefore was not eligible for bail. Mainuddin was not charged; after 16 days he was released. Charges against editor Bahauddin remain pending in both sedition cases.

Feminist author Taslima Nasreen, whose writings and statements provoked death threats from some Islamic groups in 1993 and 1994, left the country for Europe in 1994. Nasreen returned to the country in September 1998, and then departed again in January 1999. She remains abroad in self-imposed exile, and both criminal and civil cases against her for insulting religious beliefs remain pending. However, a private citizen filed similar charges in 1994, and a judge issued an arrest warrant in that case after Nasreen's September 1998 return. The warrant never was executed, and Nasreen later requested and received anticipatory bail from the High Court. In August 1999, the Government banned the import, sale, and distribution of Nasreen's latest book, citing the likelihood that the book would inflame passions and offend the religious sentiments in the Muslim community (see Section 5).

On June 29, the Government banned a book written by Matiur Rahman Rentu, a former aide to Awami League president and current Prime Minister Sheikh Hasina, on the grounds that it contained materials that could provoke hatred and malice toward the Government. The author was shot and injured by unidentified assailants in Dhaka after his book first was released.

The Government owns and controls radio and television stations. The activities of the Prime Minister occupy the bulk of prime time news bulletins on both television and radio, followed by the activities of members of the Cabinet. Opposition party news gets little coverage. In its 1996 election manifesto, the Awami League called for autonomy for the state-controlled electronic

media. A government committee subsequently recommended measures for authorizing autonomy for radio and television broadcasts, but the Government has yet to implement this recommendation. However, the Prime Minister on September 20 reiterated her earlier commitment to grant autonomy whereby the responsibility for funding still would come from the Government but the stations would be run by independent bodies without government interference. The Ministry of Information has authorized one private radio station and one private television station. That private television station, named Ekushey Television (ETV), went on the air in early March and began full commercial broadcasts on April 14. ETV broadcasts to 70 percent of the country via land transmission and to the entire country via satellite. On November 6, programming duration was extended from 10 to 12 hours per day. ETV broadcasts two Bangla-language news bulletins of its own and rebroadcasts the state-owned and run, BTV, English-language news bulletin. ETV news bulletins cover opposition events without any apparent interference from the Government. Moreover, the station also carries a feature program that addresses various social problems and calls for government action to redress these issues. ETV's proprietor owns the private radio station. As a condition of operation, both private stations are required to broadcast for free some government news programs and speeches by the Prime Minister and President.

Foreign publications are subject to review and censorship. Censorship most often is used in cases of immodest or obscene photographs, perceived misrepresentation or defamation of Islam, and objectionable comments about national leaders. The September 18 issue of the international newsmagazine "Newsweek," published in Singapore, was banned in the country because it featured a photograph of Koranic verses on the sole of a human foot.

A government Film Censor Board reviews local and foreign films, and may censor or ban them on the grounds of state security, law and order, religious sentiment, obscenity, foreign relations, defamation, or plagiarism. During the year, the Film Censor Board banned 14 English-language films on the grounds of obscenity and 13 Bangla-language films, although after 2 months the ban on the Bangla-language films was lifted. The Government also banned the screening of any English-language films in approximately 10 movie theaters that regularly do not comply with the Censor Board. Cable operators generally function without government interference, but on August 15 (the anniversary of the assassination of Sheikh Mujibur Rahman, the nation's founder and father of the current Prime Minister), the Government asked them to suspend their operations for the day, and the operators complied. Video rental libraries provide a wide variety of films to their borrowers, and government efforts to enforce censorship on these rental films are sporadic and ineffectual. The Government does not limit citizens' access to the Internet.

The Government generally respects academic freedom. Although teachers and students at all levels largely are free to pursue academic assignments, research on extremely sensitive religious and political topics is forbidden.

The situation on public university campuses remains volatile, seriously inhibiting the ability of students to receive a university education and of teachers to teach. Armed clashes between student groups of different parties or of different factions within a particular party resulted in temporary closures of colleges and universities in Chittagong, Sylhet, and other localities. A woman on the Dhaka University campus was partially stripped during New Year's Eve

celebrations on December 31, 1999. After a week of heavy criticism by the press, three members of the student wing of the ruling party were arrested but later freed on bail. A ruling party M.P. made a statement in Parliament that demanded the punishment of the victim for violating Muslim social values by being on the streets to celebrate New Year's Eve (see Sections 2.c., 2.d., and 5). Campus violence has little to do with ideological differences, and more to do with extortion rackets run by nonstudent party activists, including those based on physical control of dormitories. As a result of widespread violence and campus closures, it takes nearly 6 years to earn a 4-year degree. However, several private universities that were established during the 1990's are not affected by student political violence.

#### **b. Freedom of Peaceful Assembly and Association**

The Constitution provides for freedom of assembly, subject to restrictions in the interest of public order and public health; however, the Government frequently limits this right. Section 144 of the Criminal Procedure Code allows the Government to ban assemblies of more than four persons. According to one human rights organization, the Government imposed Section 144 bans 33 times during the first 9 months of the year. The Government sometimes uses Section 144 to prohibit rallies for security reasons, but many independent observers believe that such explanations usually are a pretext. Supporters of the ruling party frequently will schedule their own rallies for the same venue and time as scheduled opposition rallies and meetings, thus providing the Government a basis for imposing Section 144 for security reasons. The Krishak Sramik Janata League of former Awami League stalwart and present opposition figure Kader Siddiqi had to cancel a scheduled rally at Karimganj on May 14, because the ruling party's student wing announced a rally at the same time and place, prompting the local administration to impose Section 144. The BNP youth front could not hold its planned rally at Muladi in Barisal on June 29, because the local administration imposed Section 144 following a simultaneous rally by a ruling party organization at the same location.

Authorities also permit ruling party activists to blockade roads and take other steps to disrupt opposition events. During nationwide general strikes called by the opposition, ruling party activists routinely intimidate opposition supporters and seek to coerce shopkeepers and drivers to ignore the strike.

Ruling party supporters, often with the connivance and support of the police, violently disrupted rallies and demonstrations of the opposition parties. On August 6, at least 22 persons were injured during a gunbattle on the Islamic University Campus between activists of the ruling party student wing, the Bangladesh Chhatra League, and the Islami Chhatra Shibir (ICS), the student wing of the Jamaat-e-Islami. According to one human rights organization that cites campus sources, the shooting began when a procession of ruling party supporters opened fire on an ICS procession. On August 6, police officers attacked a joint opposition rally led by the BNP that was held to protest the Government's failure to eradicate the mosquitoes that carry dengue fever. Using teargas, rubber bullets, and lathis (heavy sticks), the police broke up the rally and procession. More than 100 persons were injured during the incident (see Section 2.a.).

Thirteen full or part days of opposition-called hartals (general strikes) took place during the year at the national or local levels. In addition there were a number of local hartals to demand the Government's resignation, and to protest the enactment of the PSA (see Sections 1.d. and 1.e.), attacks on opposition rallies and processions, rising fuel prices, and the killing of a pro-BNP lawyer (see Section 1.a.). Localized hartals were frequent occurrences in some parts of the country.

Four persons died in violence during the hartals, and many were injured, including opposition activists, police, and many ordinary citizens (see Sections 1.a., 1.c., and 3).

Local ruling party groups sometimes also call local general strikes. Party activists enforce these strikes through threatened or actual violence against strikebreakers. Those persons who are opposed to or neutral toward the strike are coerced into observing prohibitions against vehicular transport and normal operation of businesses. Both opposition and ruling party activists mount processions during general strikes. Police rarely interfere with ruling party processions on such occasions; police and ruling party activists often work in tandem to disrupt and to discourage opposition processions.

The Constitution provides for the right of every citizen to form associations, subject to "reasonable restrictions" in the interest of morality or public order, and in general the Government respects this right. Individuals are free to join private groups.

### **c. Freedom of Religion**

The Constitution establishes Islam as the state religion but also stipulates the right--subject to law, public order, and morality--to practice the religion of one's choice, and the Government respects this provision in practice. However, although the Government is secular, religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens. Approximately 88 percent of the population is Muslim. Some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination toward them from the Muslim majority (see Section 5).

Religious organizations are not required to register with the Government; however, all nongovernmental organizations (NGO's), including religious organizations, are required to register with the NGO Affairs Bureau if they receive foreign money for social development projects. The Government has the legal ability to cancel the registration of an NGO or to take other action against it; such powers rarely are used and have not affected NGO's with religious affiliations.

Religion is taught in schools, and children have the right to be taught their own religion.

The law permits citizens to proselytize. However, strong social resistance to conversion from Islam means that most missionary efforts by Christian groups are aimed at serving communities that have been Christian for several generations or longer. The Government allows various religions to establish places of worship, to train clergy, to travel for religious purposes, and to maintain links with co-religionists abroad. Foreign missionaries may work in the country, but

their right to proselytize is not protected by the Constitution. Some missionaries face problems in obtaining visas.

**d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation**

Citizens generally are able to move freely within the country and to travel abroad, to emigrate, and to repatriate; however, there were instances in which the Government restricted these rights. In August 1999, immigration authorities seized the passport of Jatiya Party Secretary General Naziur Rahman Monzur. A High Court ruling ordered the passport to be returned to Monzur, and the Supreme Court rejected government appeals against the ruling. However, the passport had not been returned by year's end. Then-leader of the opposition Jamaat-e-Islami, Ghulam Azam, in December 1999 submitted his passport to immigration authorities for renewal, but it was not renewed. Azam filed a writ petition with the High Court on March 13, challenging the Government's refusal to renew his passport. On June 8, the Court ordered the Home Secretary to renew the passport within 15 days and return it to Azam. The Government filed a delayed appeal with the Supreme Court. The case was pending at year's end. In late 1999 immigration authorities seized the passport of Jatiya Party chairman and former president H.M. Ershad and subsequently returned it under court orders. However, on June 5, the Government barred Ershad from going to London for medical treatment, and immigration authorities at the airport in Dhaka seized his passport again. A High Court bench dismissed Ershad's writ petition, challenging the restriction on his travel and the seizure of his passport. However, the appellate panel of the Supreme Court on August 17 ordered the Government to return the passport to Ershad. The Government has yet to comply with this order; Ershad also had not yet received a certified copy of the court's order to return the passport by year's end. Bangladeshi passports are invalid for travel to Israel.

The law does not include provisions for granting refugee and asylum status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperates with the U.N. High Commission for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The law does not provide for first asylum or resettlement of asylum seekers. However, in practice the Government grants temporary asylum to individual asylum seekers whom the UNHCR has interviewed and recognized as refugees on a case-by-case basis. At the UNHCR's request, the Government allowed about 125 refugees and asylum seekers, including non-Rohingya Burmese, Somalis, Iranians, and Sri Lankans, to remain in the country pending durable solutions such as voluntary repatriation and resettlement to other countries.

Approximately 300,000 Bihari Muslims live in various camps throughout the country; they have been in the country since 1971 awaiting settlement in Pakistan. Biharis are non-Bengali Muslims who emigrated to what formerly was East Pakistan during the 1947 partition of British India. Most supported Pakistan during Bangladesh's 1971 War of Independence. They later declined to accept Bangladesh citizenship and asked to be repatriated to Pakistan. The Government of Pakistan historically has been reluctant to accept the Biharis.



Approximately 251,000 Rohingya refugees (Muslims from the northern Burmese state of Arakan) crossed into southeastern Bangladesh in late 1991 and 1992, fleeing repression. Since 1992 approximately 232,000 Rohingyas have been repatriated voluntarily to Burma, nearly 22,700 have left the camps and are living among the local Bangladeshis, more than 32,200 children have been born to the refugees, 7,700 have died, and more than 20,800 refugees remain in 2 camps administered by the Government in cooperation with the UNHCR. After blocking further repatriation in August 1997, Burma allowed repatriation to resume in November 1998, but at such a slow rate that births in the camps outnumbered repatriations. In April 1999, the UNHCR urged the Government to allow any refugees who could not return to Burma to be allowed to work in the country, benefit from local medical programs, and send their children to local schools. The Government refused these requests, insisting that all Rohingya refugees must remain in the camps until their return to Burma. According to HRW, there are reports of violence by refugee camp officials against Rohingyas (see Section 1.c.). Despite senior level interaction with the Burmese Government, the Bangladesh Government remains unable to win Burmese agreement to accelerate the rate of repatriation.

According to media reports, several thousand more Rohingyas arrived during the year, but recent arrivals avoided the camps and attempted to settle in the southeastern areas of the country. HRW reports that more than 100,000 Rohingyas who have entered the country since 1991 live in precarious circumstances in the country outside the camps with no formal documentation. The Government effectively denied first asylum to the new arrivals it encountered by categorizing them as illegal economic migrants and turned back as many persons as possible at the border. According to UNHCR, which has interviewed some of these migrants, at least some of them are fleeing persecution.

### **Section 3      Respect for Political Rights: The Right of Citizens to Change Their Government**

Bangladesh is a multiparty, parliamentary democracy in which elections by secret ballot are held on the basis of universal suffrage. M.P.'s are elected at least every 5 years. The Parliament has 300 elected members, with 30 additional seats for women, who are chosen by Parliament. Under a 1996 constitutional amendment, general parliamentary elections are presided over by a caretaker government, led by the most recently retired Chief Justice of the Supreme Court or, if he is unfit or unwilling, another senior retired justice or other neutral figure. Domestic and international observers deemed the last general election, held in June 1996, to be generally free and fair. The high voter turnout of 75 percent set a new record.

Due to continuing opposition from the opposition parties, the Election Commission did not schedule upazila (subdistrict) elections. In July Parliament passed the zilla (district) council law, which provides for indirect election of the district council chairman by an electoral college of elected lower level representatives. The law empowers the Government to appoint these chairmen until the indirect elections can be held. The Government has not made such appointments. The Chittagong City Corporation election was held on January 3; however, the opposition parties boycotted it, and the Awami League incumbent mayor was reelected

unopposed. On the national level, the opposition parties continued to demand the immediate resignation of the Government and elections under a caretaker regime.

Elections often are marred by violence, intimidation of voters, and vote rigging. The Government and activists of major political parties frequently use violence and harassment against political opponents, practices that intensify in the period prior to elections. On July 31, Food Minister and Awami League Presidium member Air Hossain AMU won a by-election, which was boycotted by the opposition. International and domestic observers as well as the media witnessed widespread intimidation of voters and abuse of authority in support of the winning candidate. The dispute over the November 15, 1999, by-election in Tangelo remained unresolved and the ruling party candidate, although declared the victor, could not take his oath of office.

Political activists also reportedly engage in extortion from businesses and individuals (see Section 1.a.).

Under constitutional amendments enacted in 1991, the country changed from a presidential system to a parliament-led system. The changes stipulated that an M.P. who resigns from his party or votes against it in Parliament automatically loses his seat. BNP member Major (retired) Akhtaruzzaman lost his seat in Parliament as he joined the parliamentary session in violation of his party's decision to abstain. In practice this provision solidifies the control of Parliament by the Government and the Prime Minister. The lack of democracy within the political parties that have formed governments since 1991 has resulted in a concentration of political power in the office of the Prime Minister, regardless of which party is in power. In practice the Prime Minister usually decides on major governmental policies, with little or no involvement by Parliament. Parliament's effectiveness as a deliberative body is undermined further by the country's narrow, partisan politics. Since July 1999, the major opposition parties have abstained from parliamentary sessions. However, members of the opposition continue to participate in parliamentary standing committees on government ministries, which were formed in 1998. These committees are headed by M.P.'s rather than the ministers concerned, increasing the committees' effectiveness in overseeing government work.

Women are underrepresented in government and politics. Thirty parliamentary seats are reserved for women chosen by majority vote in Parliament; critics charge that these seats act far less to empower women than to enhance the ruling party's majority. The constitutional provision that provides for these 30 reserved seats expires in April 2001, unless a new parliament sits before that date. A Government-sponsored bill to extend this provision cannot be passed unless the opposition ends its ongoing boycott of Parliament and supports the bill. In addition to these seats, women are free to contest any seat in Parliament. Seven current women M.P.'s were elected in their own right.

Seats are not specifically reserved for other minority groups, such as tribal people. Of the 300 elected M.P.'s, 3 are Tribal Buddhists from the Chittagong Hill Tracts and 5 are Hindus. The rest are Bengali Muslims. The Jamaat-i-Islami, the country's largest Islamic political party, had 18 seats in Parliament after the 1991 elections, but only 3 after the 1996 elections.

#### **Section 4      Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

The Government generally permits human rights groups to conduct their activities. A wide variety of groups publish reports, hold press conferences, and issue appeals to the Government with regard to specific cases. While human rights groups often are sharply critical of the Government, irrespective of the ruling party, they frequently practice self-censorship, particularly on some politically sensitive cases and subjects. In the past, the Government has consulted with human rights groups on some draft legislation and taken their views into account. In January after discussions between the Government and some women's rights groups and NGO's, Parliament passed the Women and Children Repression Prevention Act. However, the Government continues to refuse to register the Bangladesh Section of Amnesty International, which since 1990 has applied several times for registration under the Societies Registration Act. Without this registration, a voluntary organization cannot receive funding from abroad.

The Government is defensive about international criticism regarding human rights issues. However, the Government has been open to dialog with international organizations and foreign diplomatic missions regarding issues such as trafficking in women and children. Legislation to establish a National Human Rights Commission remained in abeyance for yet another year. Earlier the Government formed a cabinet subcommittee to review the draft legislation.

In the past, the Government has put pressure on individual human rights advocates, including by filing charges that are known to be false. Such pressure also has included long delays in issuing re-entry visas for international human rights activists. Missionaries who advocate human rights have faced similar problems.

In the past, human rights organizations have reported that the Government has put pressure on them usually in the form of harassment by the intelligence agencies and threats from activists of the ruling party.

During the year, the Government acceded to the U.N. International Covenant on Civil and Political Rights.

#### **Section 5      Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

The Constitution states that "all citizens are equal before the law and are entitled to equal protection by the law." However, in practice the Government does not enforce strongly laws aimed at eliminating discrimination. In this context, women, children, minority groups, and the disabled often confront social and economic disadvantages.

## Women

Violence against women is difficult to quantify because of unreliable statistics, but recent reports indicated that domestic violence is widespread. A report released by the U.N. Population Fund in September asserted that 47 percent of adult women report physical abuse by their male partner. The Government, the media, and women's rights organizations have fostered a growing awareness of the problem of violence against women.

Much of the violence against women is related to disputes over dowries. According to a human rights group, there were 81 dowry-related killings during the year. Human rights groups and press reports indicate that incidents of vigilantism against women--sometimes led by religious leaders--at times occur, particularly in rural areas. These include humiliating, painful punishments, such as the whipping of women accused of moral offenses. Assailants who fling acid in their faces disfigured numerous women. One human rights organization reported that 181 women suffered acid attacks during the year. The most common motivation for acid-throwing attacks against women is revenge by a rejected suitor; land disputes are another leading cause of the acid attacks. Few perpetrators of the acid attacks are prosecuted. Often the perpetrator flings the acid in through an open window during the night, making cases difficult to prove. Some arrests have been made, and one person has been given the death sentence.

The law prohibits rape and physical spousal abuse, but it makes no specific provision for spousal rape as a crime. A total of 3,516 rapes and 3,523 incidents of spousal abuses were officially reported during the year. Of the spousal abuse cases, 2,814 were related to disputes over dowry. Of the 2,130 alleged rapists that were prosecuted, 63 persons were convicted. The Government reports that other rape cases are under trial. During the year, the Government acceded to the U.N. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women. The Government also has enacted laws specifically prohibiting certain forms of discrimination against women, including the Anti-Dowry Prohibition Act of 1980, the Cruelty to Women Law of 1983, and the Women and Children Repression Prevention Act of 1995, which was replaced by the Women and Children Repression Prevention Act of 2000 (see Section 1.d.). However, enforcement of these laws is weak, especially in rural areas, and the Government seldom prosecutes those cases that are filed. According to a human rights organization, there are 7 government-run and 13 privately-run large shelter homes available for use by women who are victims of violence. Some smaller homes also are available for victims of violence. However, these are insufficient to meet victims' shelter needs. As a result, the Government often holds women who file rape complaints in safe custody, usually in prison. Safe custody frequently results in further abuses against victims, discouraging the filing of complaints by other women, and often continues for extended periods during which women often are unable to gain release (see Sections 1.c. and 1.d.).

There is extensive trafficking in women for the purpose of forced prostitution within the country and to other countries in Asia (see Section 6.f.).

For the most part, women remain in a subordinate position in society, and the Government has not acted effectively to protect their basic freedoms. Literacy rates are approximately 26 percent for women, compared with 49 percent for men. In recent years, female school enrollment has

improved. Approximately 50 percent of primary and secondary school students are female. Women often are ignorant of their rights because of continued high illiteracy rates and unequal educational opportunities, and strong social stigmas and lack of economic means to obtain legal assistance frequently keep women from seeking redress in the courts. Many NGO's operate programs to raise women's awareness of their rights, and to encourage and assist them in exercising those rights.

Under the 1961 Muslim Family Ordinance, female heirs inherit less than male relatives do, and wives have fewer divorce rights than husbands. Men are permitted to have up to four wives, although this right rarely is exercised. Laws provide some protection for women against arbitrary divorce and the taking of additional wives by husbands without the first wife's consent, but the protections generally apply only to registered marriages. Marriages in rural areas often are not registered because of ignorance of the law. Under the law, a Muslim husband is required to pay his ex-wife alimony for only 3 months, but this rarely is enforced.

Employment opportunities have been stronger for women than for men in the last decade, which largely is due to the growth of the export garment industry in Dhaka and Chittagong. Eighty percent of the 1.4 million garment sector workers are women. Programs extending micro-credit to large numbers of rural women also have contributed to greater economic power for them. However, women still fill only a small fraction of other wage-earning jobs. According to a report by the Public Administration Reforms Commission publicized in October, women hold only 12 percent of government jobs, and only 2 percent of senior positions. The Government's policy to include more women in government jobs only has had limited effect. In recent years, about 15 percent of all recruits into government service have been women.

The garment and shrimp processing industries are the highest employers of female laborers. Forty-three percent of women work in the agriculture, fisheries, and livestock sectors, but 70 percent of them are unpaid family laborers. Many women work as manual laborers on construction projects as well, and constitute nearly 25 percent of all manufacturing workers. Women also are found in the electronics, food processing, beverage, and handicraft industries.

## **Children**

The Government undertakes programs in the areas of primary education, health, and nutrition. Many of these efforts are supplemented by local and foreign NGO's. While much remains to be done, these joint efforts have allowed the country to make significant progress in improving health, nutrition, and education; however, slightly more than half of all children are chronically malnourished. For example, the Bangladesh Rural Advancement Committee (BRAC), the country's largest NGO, provides primary education to more than 1.2 million children. In cooperation with the Non-Formal Education Directorate of the Government and some NGO partners, UNICEF is implementing a program to provide education to 350,000 (primarily working) children in urban slum areas around the country. In addition the ILO has undertaken education/social welfare programs for more than 50,000 children (see Section 6.d.). The Government made universal primary education between the ages of 6 and 10 years mandatory in 1991, but stated that it lacked the resources to implement the law fully. According to Education

Ministry figures, approximately 81 percent of children between the ages of 6 and 10 years are enrolled in school, including 83 percent of girls. Attendance rates drop steadily with age; according to the Government, about 70 percent of all children complete grade 5. To reach the maximum number of children with limited facilities, most schools have two shifts. As a result, most children in grades one and two spend 2½ hours a day in school; children in grades 3 to 5 are in school for 4 hours. The Government provides incentives for rural female children between the ages of 12 and 16 years to remain in school. These incentives have been effective in increasing the number of girls in school.

Because of widespread poverty, many children are compelled to work at a very young age. This frequently results in abuse of children, mainly through mistreatment by employers during domestic service (children who work in domestic service may work in conditions that resemble servitude) and prostitution(see Section 6.c.); this labor-related child abuse occurs commonly at all levels of society and throughout the country (see Section 6.d.). Reports from human rights monitors indicate that child abandonment, kidnapping, and trafficking for prostitution continue to be serious and widespread problems. There is extensive trafficking of children, primarily to India, Pakistan, and destinations within the country, largely for the purpose of forced prostitution (see Section 6.f.). UNICEF has estimated that there are about 10,000 child prostitutes in the country. Other estimates have been as high as 29,000. Prostitution is legal, but only for those over 18 years of age and with government certification. However, this minimum age requirement commonly is ignored by authorities, and is circumvented easily by false statements of age. Procurers of minors rarely are prosecuted, and large numbers of child prostitutes work in brothels. There were credible reports that police facilitated or were involved in trafficking in of women and children (see Sections 1.c., 6.c., and 6.f.). The law stipulates a maximum sentence of life imprisonment for persons found guilty of forcing a child into prostitution.

During the year, the Government acceded to the U.N. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and to the U.N. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

### **People with Disabilities**

The law provides for equal treatment and freedom from discrimination for the disabled; however, in practice, the disabled face social and economic discrimination. The Government has not enacted specific legislation or otherwise mandated accessibility for the disabled. Facilities for treating the mentally ill or the retarded are inadequate. Unless a family has money to pay for private service, a mentally ill person can find little treatment in the country.

### **Indigenous People**

Tribal people have had a marginal ability to influence decisions concerning the use of their lands. The 1997 Chittagong Hill Tracts (CHT) Peace Accord has been in effect for 3 years, and has ended 25 years of insurgency in the CHT, although law and order problems continue. Former

insurgent leader Jotirindrio Bodhipriya Larma, alias Shantu Larma, has publicly questioned whether the Peace Accord has been implemented properly, and has urged prompt government action to implement all provisions of the Accord. Confusion continues over the overlapping responsibilities of the various central and local government bodies involved in the Hill Tracts. The Land Commission that is to deal with land disputes between tribals and Bengali settlers does not yet function effectively in addressing critical land disputes. Tribal leaders also have expressed disappointment at the lack of progress in providing assistance to tribals that left the area during the insurgency.

Until 1985 the Government regularly allotted land in the CHT to Bengali settlers, including land that was claimed by indigenous people under traditional concepts of land ownership. This led to the displacement of many tribal groups, such as the Chakmas and Marmas. Bengali inhabitants in the CHT increased from 3 percent of the region's population in 1947 to approximately 50 percent of the area's population of 1 million persons in 1997. The Shanti-Bahini, a tribal group, had waged a low-level conflict in the CHT from the early 1970's until the signing of the peace agreement with the Government in December 1997. During the periods of violence, all those involved--indigenous tribes, settlers, and security forces--accused each other of human rights violations. The terms of the 1997 pact provided for a strong local government, consisting of mostly tribal representatives, including the chairperson; reduction of the military presence in the CHT region; and a substantial compensation package for displaced tribal families.

Alfred Soren, a leader of the Santal tribe in the northern part of the country, was killed and dozens of others were injured in an August 18 attack. According to one human rights organization, the perpetrators of the attack were Bengalis who were angry with the tribals over a land dispute. Ninety persons were charged for involvement in the attack, but only four were arrested by year's end. Court proceedings were scheduled to begin at the end of January 2001.

Tribal people in other areas also have reported problems of loss of land to Bengali Muslims through questionable legal practices and other means. The Garos of the Modhupur forest region in the north-central part of the country continue to face problems in maintaining their cultural traditions and livelihoods in the face of deforestation and encroachment by surrounding Bengali communities. The pressure on the Garo community has resulted in greater migration to urban areas and to the Indian state of Meghalaya, threatening the existence of an already small community estimated at only 16,000 persons. The Government had indicated in 1995 that it would establish a national park of 400 acres in the Mymensingh district. Part of the land would be taken from the Garo tribals. Action still is pending on that proposal. The Government has not ruled out moving the tribals from the land.

### **Religious Minorities**

Hindus, Christians, and Buddhists constitute about 12 percent of the population.

Local thugs and gang leaders sometimes attack religious minorities, perceiving them to be weak and vulnerable. The Government sometimes has failed to criticize, investigate, and prosecute the perpetrators of these attacks. The Ahmadiyas, whom many mainstream Muslims consider

heretical, have been the target of continued attacks and harassment. In March neighboring Muslims attacked and damaged 40 houses belonging to Ahmadiyas at Krora and Nasirabad (Brahmanbaria district); they also captured a local Ahmadiya mosque. The mosque was returned to the Ahmadiyas after a month-long negotiation. In 1999 in Kushtia mainstream Muslims captured another Ahmadiya mosque, which remains under police control, preventing Ahmadiyas from worshipping. In November 1999, Sunni Muslims ransacked an Ahmadiya mosque in the western part of the country. In October 1999, a bomb killed 6 Ahmadiyas and injured more than 40 others who were attending Friday prayers at their mosque in Khulna; the case remained unresolved at year's end.

Religious minorities are disadvantaged in practice in such areas as access to government jobs and political office. Selection boards in the government services often lack minority group representation.

Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially the Vested Property Act. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947, when many Hindus fled, and again in 1971 when Bangladesh achieved independence, and many Hindus lost land holdings because of anti-Hindu discrimination in the application of the law. Prior to its 1996 election victory, the Awami League promised to repeal the Vested Property Act, the law used to deprive Hindus of their property. On September 4, the Cabinet decided in principle to return vested property to its original owners and formed a subcommittee to draft a law to this effect. At year's end, the draft was awaiting cabinet approval. In past years, there have been cases of violence directed against religious minority communities that also have resulted in the loss of property. The last such major incidents occurred in 1992, although there also were some minor incidents of this type during the period surrounding the 1996 elections. Such intercommunal violence reportedly has caused some religious minority members to depart the country.

Feminist author Taslima Nasreen left the country in January 1999, due to concerns about her personal security. She lives abroad in self-imposed exile (see Section 2.a.). The Government banned her latest book in 1999 for fear of offending the country's Muslim community.

## **Section 6      Worker Rights**

### **a.      The Right of Association**

The Constitution provides for the right to join unions and--with government approval--the right to form a union. Approximately 1.8 million of the country's 5 million workers in the formal sector belong to unions, most of which are affiliated with the various political parties. (The total work force is approximately 58 million persons.) There is a large unreported informal sector, for which no reliable labor statistics exist.



For a union to obtain and maintain its registration, 30 percent workplace participation is required. Moreover, would-be unionists technically are forbidden to engage in many activities prior to registration, and legally are not protected from employer retaliation during this period. Labor activists have protested that this requirement severely restricts workers' freedom to organize, and the ILO has requested the Government to amend the 30 percent provision on the same grounds. The ILO also has requested the Government to amend legislative provisions that bar registration of a union that is composed of workers from different workplaces owned by different employers. About 15 percent of the approximately 5,450 labor unions are affiliated with 25 officially registered National Trade Union (NTU) centers. There also are several unregistered NTU's.

With the exception of workers in the railway, postal, telegraph, and telephone departments, civil servants, police, and military personnel are forbidden to join unions in large part because of the highly political nature of those unions. Many civil servants who are forbidden to join unions, such as teachers and nurses, have formed associations that perform functions similar to labor unions, that is, providing for members' welfare, offering legal services, and airing grievances. However, collective bargaining is prohibited. Some workers have formed unregistered unions, particularly university employees and workers in the construction and transport (both public and private) industries. The Government banned trade union activity in the Bangladesh Bank, the country's central bank, in early 1998. The ban followed an incident in which some labor unionists affiliated with the ruling party's trade union assaulted a senior bank official, after which there were clashes between members of rival unions. In September numerous associations of private school teachers went on strike, demanding that the Government, which pays private school teachers 80 percent of their basic salary, pay 100 percent of it. The strikes ended after several weeks when the Government agreed to raise its part of the payment to 90 percent. In 1999 the ILO Committee of Experts stated that the Government's rejections of several applications for registration by trade unions in the textile, metal, and garment sectors were on unjustified grounds. The Ministry of Labor contends that these cases lacked the necessary documentation.

The right to strike is not recognized specifically in the law, but strikes are a common form of workers' protest. In addition political opposition parties use general strikes to pressure the Government to meet political demands (see Section 2.b.). Workers at Chittagong port, the country's major harbor, conducted several work stoppages to protest a proposed new private container port. Some employees organized in professional associations or unregistered unions also went on strike during the year. Wildcat strikes are illegal but frequently occur, with varying government responses. Wildcat strikes in the transportation sector are particularly common.

The Essential Services Ordinance permits the Government to bar strikes for 3 months in any sector that it declares essential. During the year, the Government applied this ban against employees of the Power Development Board. In the past, the Government has applied this ban to national airline pilots, water supply workers, shipping employees, and electricity supply workers. The ban may be renewed for 3-month-periods. The Government is empowered to prohibit a strike or lockout at any time before or after the strike or lockout begins and to refer the dispute to the Labor Court. Mechanisms for conciliation, arbitration, and labor court dispute resolution were established under the Industrial Relations Ordinance of 1969. Workers have the right to strike in the event of a failure to settle. If a strike lasts 30 days or longer, the

Government may prohibit the strike and refer the dispute to the Labor Court for adjudication. This has not happened since 1993. The ILO has criticized the provisions of the Industrial Relations Ordinance that require three-quarters of a worker's organization to consent to a strike and that grant the Government authority to prohibit a strike at any time if it is considered prejudicial to the national interest or if it involves a public utility service.

There are no legal restrictions on political activities by labor unions, although the calling of nationwide general strikes (hartals) or transportation blockades by unions is considered a criminal rather than a political act and thus is forbidden.

While unions are not part of the government structure, they are highly politicized, and are strongest in state-owned enterprises and in institutions like the government-run port in Chittagong. Virtually all the NTU centers are affiliated with political parties, including the ruling party and the major opposition parties. Some unions are militant and engage in intimidation and vandalism. Illegal blockades of public transportation routes by strikers frequently occurred during the year. Pitched battles between members of rival labor unions regularly occurred. Fighting often is over the control of rackets or extortion payoffs and typically involves knives, guns, and homemade bombs.

Workers are eligible for membership on their union's executive staff, the size of which is set by law in proportion to the number of union members. The Registrar of Trade Unions may cancel registration of a union with the concurrence of the Labor Court, but no such actions were known to have been taken during the year.

There are provisions in the Industrial Relations Ordinance for the immunity of registered unions or union officers from civil liability. Enforcement of these provisions is uneven. In past illegal work actions, such as transportation blockades, police officers have arrested union members under the SPA or regular criminal codes.

There are no restrictions on affiliation with international labor organizations, and unions and federations maintain a variety of such links. Trade unionists are required to obtain government clearance to travel to ILO meetings, but there were no reports that clearances were denied during the year. In addition in April 1999, immigration officials at the airport in Dhaka prevented 11 members of the Bangladesh Independent Garment Workers Union Federation (BIGUF) from departing the country to participate in an AFL-CIO-organized study tour in the Philippines, citing a requirement for government clearance. In October the Ministry of Labor issued the clearance, but it was too late for the BIGUF representatives to participate in the study tour.

#### **b. The Right to Organize and Bargain Collectively**

Collective bargaining by workers is legal on the condition that they be represented by unions legally registered as collective bargaining agents by the Registrar of Trade Unions. Labor unions are affiliated with the various political parties; therefore, each industry generally has more than one labor union (one or more for each political party). To engage in collective bargaining, each union must nominate representatives to a Collective Bargaining Authority (CBA) committee,

which the Registrar of Trade Unions must approve after reviewing the selection process. Collective bargaining occurs on occasion in large private enterprises such as pharmaceuticals, jute, or textiles but, because of high unemployment, workers may forgo collective bargaining due to concerns over job security. Collective bargaining in small private enterprises generally does not occur. The International Confederation of Free Trade Unions (ICFTU) has criticized the country for what it views as legal impediments which hamper such bargaining.

Public sector workers' pay levels and other benefits are set by the National Pay and Wages Commission, whose recommendations are binding and may not be disputed except on the issue of implementation.

The Registrar of Trade Unions has wide powers to interfere in internal union affairs. He has the authority to enter union premises and inspect documents; however, there were no reports during the year that the Registrar of Trade Unions had abused these powers.

Under the Industrial Relations Ordinance, there is considerable leeway for discrimination against union members and organizers by employers. For example, the ordinance allows the arbitrary transfer of workers suspected of union activities or termination with payment of mandatory severance benefits (2 weeks' salary). In practice private sector employers usually discourage any union activity, sometimes working in collaboration with local police. The Registrar of Trade Unions rules on discrimination complaints. In a number of cases, the Labor Court has ordered the reinstatement of workers fired for union activities. However, the Labor Court's overall effectiveness is hampered by a serious case backlog, and in the past there have been allegations that employers have corrupted some of its deliberations.

In 1998 Zafrul Hassan, the General Secretary of the Bangladesh Jatiyatabadi Sramik Dal (BJSD), filed a complaint that 76 persons, most of whom were active union leaders, were discriminated against through transfers and harassment by the Bangladesh Water Board. This case had not been resolved by year's end.

In June 1999, the ILO received a complaint from the Bangladesh Agricultural Farm Labor Federation that the Government had not introduced legislation that would extend the protections of the Industrial Relations Ordinance to a greater number of agricultural workers. In July the ILO sponsored a seminar where this issue was raised to create awareness about agricultural laborers. Officials from various ministries, including the Ministry of Labor, attended. Farm laborers, such as those employed in the aquaculture sector (shrimp hatchery, harvesting and processing) are covered by the labor law and can form trade unions. However, most agricultural laborers are migrant workers, and thus are not employed by any particular individual or group. The Government had not taken steps to extend labor laws to cover these migrant workers.

The country's two EPZ's are exempted from the application of the Employment of Labor (Standing Orders) Act of 1965, the Industrial Relations Ordinance of 1969, and the Factories Act of 1965. Among other provisions, these laws establish the freedom of association and the right to bargain collectively, and set forth wage and hour and occupational safety and health standards. While substitutes for some of the provisions of these laws have been implemented through EPZ regulations, which the Bangladesh EPZ Authority is charged with enforcing, professional and

industry-based unions are prohibited in the zones. A small number of workers in the EPZ's have skirted prohibitions on forming unions by setting up associations. The Government has not implemented its 1992 commitment to end restrictions on freedom of association and formation of unions by 1997, and to apply all sections of labor law in the EPZ's by 2000. No collective bargaining occurs in the EPZ's. However, on December 12, the Government agreed to allow full freedom of association in the EPZ's by January 2004. Approximately 93,000 persons are employed in EPZ's, primarily in the textile and apparel, electronics component, and leather industries. During the year, the EPZ's experienced several strikes, some of which turned violent. In one case, four workers were killed when the police stormed a factory that had been taken over by the disgruntled workers. During the incident, police shot and killed two persons; two others later died from stab wounds sustained in the violence. The workers were angered by a 15 percent cut in piece rates and the subsequent firing of 33 workers who had joined in protests against the pay-cut (see Sections 1.a. and 1.c.).

### **c. Prohibition of Forced or Compulsory Labor**

The Constitution prohibits forced or compulsory labor, including that performed by children; however, the Government does not enforce this prohibition effectively. The Factories Act and Shops and Establishments Act, both passed in 1965, established inspection mechanisms to enforce laws against forced labor; however, these laws are not enforced rigorously, partly because resources for enforcement are scarce. There is no large-scale bonded or forced labor; however, numerous domestic servants, including many children, work in conditions that resemble servitude and many suffer physical abuse, sometimes resulting in death. In the past, the Government has brought criminal charges against employers who abuse domestic servants. There is extensive trafficking in both women and children, mainly for purposes of forced prostitution, although in some instances for labor servitude outside of the country (see Section 6.f.).

### **d. Status of Child Labor Practices and Minimum Age for Employment**

There is no law that uniformly prohibits the employment of children, and child labor is a serious problem. Some laws prohibit labor by children in certain sectors. The Factories Act of 1965 bars children under the age of 14 from working in factories. This law also stipulates that children and adolescents are allowed to work only a maximum 5-hour day and only between the hours of 7 a.m. and 7 p.m. The Shops and Establishments Act of 1965 prohibits the employment of children younger than the age of 12 in commercial workplaces. The Employment of Children Act of 1938 prohibits the employment of children under the age of 15 in the railways or in goods' handling within ports.

Coverage and enforcement of these rules is inadequate. Because of widespread poverty, many children begin to work at a very young age. According to a 1996 labor force survey by the Government, the country has 6.3 million working children between the ages of 5 and 14 years who work for compensation and are not enrolled in school. Also, children often work alongside other family members in small-scale and subsistence agriculture. Previous UNICEF and ILO

surveys indicate that, of children 6 to 17 years of age, 21 percent of boys and 4 percent of girls work in paid employment. Hours usually are long, the pay usually is low, and the conditions sometimes are hazardous. Children drive rickshaws, break bricks at construction sites, carry fruit, vegetables, and dry goods for shoppers at markets, work at tea stalls, and work as beachcombers in the shrimp industry. Many children work in the beedi (hand-rolled cigarette) industry, and children under 18 years old sometimes work in hazardous circumstances in the leather industry. Children routinely perform domestic work. Cases of children being abused physically and occasionally killed by the head of the household where they work are reported in the press. In the past, the Government has brought criminal charges against employers who abuse domestic servants. Some children are trafficked domestically or overseas, often for prostitution, and child prostitution is a serious problem (see Sections 5 and 6.f.). Under the law, every child must attend school through the fifth grade, or the age of 10 years. However, the Government continues to maintain that it does not yet have the resources to implement this law effectively.

Protracted negotiations led to the July 1995 signing of a Memorandum of Understanding (MOU) between the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), UNICEF, and the ILO to eliminate child labor in the garment sector. Under the MOU, the garment sector was to become child labor free by October 1996, with former child laborers enrolled in UNICEF-sponsored schools and follow-up inspections of factories by ILO-managed inspection teams. Under the program, former child employees received a small monthly stipend while attending school to help replace their lost income. On June 16, the MOU was renewed for 1 year. Violations of the ban on child labor in the garment export sector dropped slightly from 5 percent as the year progressed to 4.7 percent of the factories inspected. According to ILO inspectors, 90 percent of the factories where violations were found had one to three child laborers, and the remaining ten percent had more. However, a BGMEA arbitration committee, which is tasked with imposing fines on violating factories, functions slowly. The number of children working in nonexport, or nonfactory garment production, is unknown.

The Government did not grant the Ministry of Labor additional resources to enforce its commitment as a member of the South Asian Association for Regional Cooperation to eliminate hazardous child labor by 2000, and to eliminate all child labor by 2010; the existing small corps of labor inspectors continues to be ineffective against all labor problems because of inefficiency and corruption.

In cooperation with the Non-Formal Education Directorate of the Government and some NGO partners, UNICEF is implementing a "hard-to-reach" program to provide education to 350,000 (primarily working) children in urban slum areas around the country. Working with the Government, NGO's, and some trade unions, ILO/IPEC has 20 action programs, targeting about 6,000 children in hazardous conditions, designed to ensure that children receive an education, rather than removing children from work. In addition ILO has undertaken education/social welfare programs for more than 50,000 children.

The Constitution prohibits forced or compulsory labor, including that performed by children; however, the Government does not enforce this prohibition effectively, and some children work as domestic servants in conditions that resemble labor servitude or are trafficked for the purpose

of forced prostitution (see Sections 6.c. and 6.f.). There were credible reports that police facilitated or were involved in trafficking of women and children.

**e. Acceptable Conditions of Work**

There is no national minimum wage. Instead the Wage Commission, which convenes every several years, sets wages and benefits industry by industry. In most cases, private sector employers ignore this wage structure. For example, in the garment industry, legal minimum wages are not paid by many factories, and it is common for workers of smaller factories to experience delays in receiving their pay, or to receive “trainee” wages well past the maximum 3 months. The declared minimum monthly wage for a skilled industrial worker is approximately \$63 (3,400 Taka) for a worker in an EPZ and approximately \$49 (2,650 Taka) for a worker outside an EPZ, and is sufficient to provide an individual with a minimal standard of living, but is not sufficient to provide a decent standard of living for a worker and family.

The law sets a standard 48-hour workweek with 1 day off mandated. A 60-hour workweek, inclusive of a maximum 12 hours of overtime, is allowed. The law is enforced poorly in industries such as hosiery and ready-made garments.

The Factories Act of 1965 nominally sets occupational health and safety standards. The law is comprehensive but largely is ignored by employers. For example, there are many fire safety violations in the garment industry. Many factories are located in structures that were not designed adequately for industrial use, nor for the easy evacuation of large work forces. Twelve garment factory workers died on August 27 when they were unable to escape from a factory fire due to locked exits. A Civil Defense Department report cited lack of adequate safety measures as the cause of the fatalities. In addition numerous factories have insufficient toilet facilities (for example, 1 toilet for 300 employees). Workers may resort to legal action for enforcement of the law's provisions, but few cases actually are prosecuted. Enforcement by the Labor Ministry's industrial inspectors is weak, due both to the low number of labor inspectors (100 for about 300,000 covered establishments), and to endemic corruption and inefficiency among inspectors. Due to a high unemployment rate and inadequate enforcement of the laws, workers demanding correction of dangerous working conditions or refusing to participate in perceived dangerous activities risk losing their jobs.

**f. Trafficking in Persons**

The law prohibits trafficking in persons and trafficking is a serious problem. There is extensive trafficking in both women and children, primarily to India, Pakistan, and destinations within the country, mainly for the purpose of forced prostitution, although in some instances for labor servitude. Some children also are trafficked to the Middle East to be used as camel jockeys.

Trafficking in women for purposes of prostitution carries a 10 to 20 year sentence or the death penalty. Trafficking in children for immoral or illegal purposes carries the death penalty or life imprisonment. However, few perpetrators are punished. Human rights monitors also credibly

report that police and local government officials often ignore trafficking in women and children for prostitution, and easily are bribed to look the other way (see Sections 1.c., 5, and 6.c.). According to one antitrafficking organization, during the year four new trafficking cases were filed, and the trials of two cases filed earlier were concluded. In one case, a trafficker was sentenced to death in absentia; in the second, two individuals were sentenced to life in prison. Exact numbers of those persons arrested for trafficking are difficult to obtain as charges against traffickers usually are for lesser crimes, such as crossing borders without proper documents.

The exact number of women and children trafficked for purposes of forced prostitution is unknown; however, human rights monitors estimate that more than 20,000 women and children are trafficked from the country for such purposes annually. Most trafficked persons are lured by promises of good jobs or marriage, and some are forced into involuntary servitude outside of the country. Seeing no alternative for breaking the cycle of poverty, parents often willingly send their children away. Unwed mothers, orphans, and others outside of the normal family support system also are susceptible. Traffickers living abroad often arrive in a village and “marry” a woman, only to dispose of her upon arrival in the destination country, where women are sold by their new “friends” or “husbands” into bonded labor, menial jobs, or prostitution. Criminal gangs conduct much of the trafficking in and smuggling of persons. The border between Bangladesh and India is loosely controlled, especially around Jessore and Benapole, making illegal border crossings easy.

The number of child prostitutes is difficult to determine. Prostitution is legal, but only for those persons over 18 years of age with government certification; however, this minimum age requirement commonly is ignored by authorities, and is circumvented easily by false statements of age. Procurers of minors rarely are prosecuted, and large numbers of child prostitutes work in brothels.

Children, usually young boys, also are trafficked into the Middle East and the Persian Gulf States to work as camel jockeys. It is estimated that there are anywhere from 100 to over 1,000 underage South Asian camel jockeys currently working in the United Arab Emirates alone; while many come from India and Pakistan, a growing number come from Bangladesh. Criminal gangs procure most of the youths. The majority of such children work with the knowledge of their parents, who receive as much as \$200 (10,000 Taka) for their child’s labor, although a significant minority simply are kidnaped. The gangs bringing the jockeys earn approximately \$150 (7,500 Taka) a month from the labor of each child. The usual procedure used for bringing these children into the Middle East is to have their names added to the passport of a Bangladeshi or Indian woman who already has a visa for the Middle East; the children fraudulently are claimed to be her children. During the year, police made arrests in several incidents for trafficking in young boys to the Middle East.

The Government has developed a set of policies and plans regarding the trafficking issue. The Government has been involved in ongoing efforts to engage the South Asian Association for Regional Cooperation (SAARC) on the issue. The Government also frequently sends representatives to conferences, seminars, and workshops on the trafficking problem. In addition the Government has initiated a program across a number of ministries to address the problem. However, government capacity to address with this issue remains limited.

In June the Government signed a 3-year, \$2 million (108 million Taka) project with the Norwegian government aid organization, NORAD, to develop an intraministerial infrastructure for addressing the trafficking problem. This project, based in the Department of Women and Children's Affairs, plans to be the focal point for addressing the prosecution, protection, and prevention activities carried out by the Government. A goal of the project is for the Government to become more involved in arresting and prosecuting traffickers. However, because the Government does not keep records of births and marriages at the village level, it is very difficult for authorities to detect false claims of marriage or family ties.

The Government has expressed concern about the problem and has worked with NGO's, donor countries, and international organizations against trafficking. Some of these projects include conducting awareness campaigns, research, lobbying, and rescue and rehabilitation programs. While the Government provides support for returning trafficking victims, government-run shelters generally are inadequate and poorly run. Increasing shelter capacity and rehabilitation programs is one of the features of the NORAD project.

Throughout the country, a variety of NGO's and community-based organizations are working on the trafficking problem through prevention efforts, research, data collection, documentation, advocacy, awareness creation and networking, crossborder collaboration, legal enforcement, rescue, rehabilitation, reintegration, income generation and low-interest loan programs, vocational training, and legislative reform. Among the NGO's that have been active in addressing the problem, the Association for Community Development conducted a study on trafficking issues and conducted workshops and outreach programs aimed at reaching potential victims of trafficking before they are trafficked. The Bangladesh National Women Lawyer's Association (BNWLA) conducts awareness programs aimed at alerting poor persons to the dangers of trafficking through leaflets, stickers, and posters. The BNWLA also provides legal assistance to trafficking victims, and initiates legal action against traffickers. The BNWLA runs a shelter home for trafficked women and children that provides health care, counseling, and training. The Center for Women and Children (CWCS) has networks to monitor trafficking across the country, conducts awareness meetings, and has a pilot project to make police aware of the rights of women and children. Awareness of trafficking is increasing, and the topic receives frequent press coverage. Two umbrella organizations of antitrafficking NGO's exist, and are seeking to improve coordination and planning of efforts against the problem.

=====

**GR/ February 27, 2001**

Note: A Bangla translation of this article is also available from The American Center. If you are interested in the translation, please call The American Center Press Section (Tel: 8813440-4, Fax: 9881677; e-mail: [dhaka@pd.state.gov](mailto:dhaka@pd.state.gov); Website: [http:// www.usembassy-dhaka.org/](http://www.usembassy-dhaka.org/)).